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EXTRAORDINARY

PART II—Section 2

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HOUSE OF THE PEOPLE

The following Bills were introduced in the House of the People on 27th November, 1953:—

BILL No. 47 OF 1952

A Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946.

BE it enacted by Parliament as follows:—

1. Short title and commencement.—(1) This Act may be called the Essential Supplies (Temporary Powers) Amendment Act, 1953.

(2) It shall come into force at once.

2. Amendment of section 7, Act XXIV of 1946.—In sub-section (1) of section 7 of the Essential Supplies (Temporary Powers) Act, 1946 (hereinafter referred to as the said Act) the following shall be added at the end, namely:—

“unless for reasons to be recorded the court is of opinion that it is not necessary to direct forfeiture in respect of the whole, or, as the case may be, any part of the property”.

3. Substitution of new section for section 9, Act XXIV of 1946.—For section 9 of the said Act, the following section shall be substituted, namely:—

“9. *Relating to Corporations.*—(1) It shall be the duty of every company and other body corporate to nominate any of its directors, managers or other officers of the company or other body corporate to be responsible for the due compliance of the orders made under section 3.

(2) In case the company fails to make nomination as required by sub-section (1) all the directors of the company shall be deemed to be responsible for the due compliance of the orders made under section 3.

(3) If the person contravening the orders made under section 3 is a company or other body corporate any person nominated under sub-section (1) shall be deemed to be guilty of such contravention.

unless he proves that the contravention took place without his knowledge or that he exercised due diligence to prevent such contravention.

STATEMENT OF OBJECTS AND REASONS

The provisions of law contained in section 7 of the Essential Supplies (Temporary Powers) Act, 1946 are unnecessarily restrictive of the discretion of the courts when the contravention of order under section 3 of the Act in respect of cotton textiles takes place. It may happen as it does that the person contravening the order is not the owner of goods and in such a contingency an innocent owner is unnecessarily injured by an order for forfeiture. This is not desirable and is opposed to fundamental rights of property. The ends of justice will be duly secured if the provisions relating to forfeiture of textile goods are governed by the provisions of law contained in section 7 of the Act in regard to foodstuffs.

The provisions of section 9 relating to the liability of directors, managers or secretaries or other officer or agent in regard to offences by corporations are extremely wide. There are cases in which absent directors even when business of the company is run and controlled by managing agents and practically the directors have no voice in the administration, have been challaned by police resulting in great harassment to innocent persons. It is unintelligible why the manager or secretary whose duty does not require them or place them in a position to control and prevent contravention of orders made under section 3 of the Act should normally come within the mischief of the rule enunciated in section 9 of the Act. It is more desirable that in every company a responsible officer of the company or director be nominated for complying such orders and made responsible for contravention if any and unless he proves want of knowledge or exercise due diligence he may be deemed to be guilty. The change of law, therefore, is necessary in the interest of justice and enforcement of compliance of orders made under the Act.

THAKUR DAS BHARGAVA.

BILL No. 48 OF 1952

A Bill further to amend the Child Marriage Restraint Act, 1929.

Be it enacted by Parliament as follow:—

1. Short title and commencement.—(1) This Act may be called the Child Marriage Restraint (Amendment) Act, 1952.

(2) It shall come into force at once.

2. Amendment of Section 2. Act XIX of 1929.—In section 2 of the Child Marriage Restraint Act, 1929 (Act XIX of 1929), (hereinafter referred to as the said Act), in clause (a),—

- (i) for the word "eighteen" the word "twenty" shall be substituted; and
- (ii) the following shall be added at the end, namely:—

"and in case the marrying male is over 45 years of age, under eighteen years of age."

3. Amendment of section 4, Act XIX of 1929.—In section 4 of the said Act, the following shall be added at the end, namely:—

“In case the male who contracts child marriage is over 45 years of age he shall be punishable with imprisonment which may extend to three months and shall also be liable to fine which may extend to one thousand rupees.”

STATEMENT OF OBJECTS AND REASONS

The Bill has twofold objects:

(a) to raise the age of marriage of boys from eighteen to twenty.

(b) to raise the age of marriage of girls to eighteen in case the marrying male is over 45 years of age.

Now that the marriageable age of girl has rightly been raised to fifteen, it is but meet that the age of the boys be raised to at least twenty years to avoid ill-matched marriages. The difference of three years between boys and girls is not sufficient and it ought to be at least five years.

The Bill also seeks to afford protection to girls under eighteen against ill-matched marriages, say with males over the age of 45 years usually widowers with children perhaps older than or equally old as these young girls.

The relative ages and consequent outlook on life of the couple being dissonant the period of married life is short and seldom happy. In a fairly large number of cases the young wife becomes a widow after enjoying a short span of married life even before she has grown to full womanhood. The conditions of widows in communities which prohibit re-marriage is extremely deplorable. In other communities also the fate of the widow is full of great hardships and misfortunes.

The normal happy matrimonial felicity and companionship, characteristic of suitable matches, are wanting in such marriages which should be discouraged and interdicted. Justice demands that young girls be protected against social tyranny of such reprehensible type.

The Government is committed to protect childhood and youth against exploitation of all sorts by Article 39 of the Constitution and the imperative demands of social justice make it obligatory upon Parliament to enact that girls below 18 years of age who are minor under the eye of the Law should not, in any case, be allowed to marry a man above 45 years of age.

THAKUR DAS BHARGAVA.

BILL No. 51 OF 1952

A Bill to provide for the prohibition of manufacture and import of hydrogenated vegetable oils.

WHEREAS it is expedient to provide for the prohibition of the manufacture and import of hydrogenated vegetable oils popularly known as *vanaspathi ghee* ;

It is hereby enacted as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Prohibition of Manufacture and Import of Hydrogenated Vegetable Oils Act, 1952

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint in this behalf.

2. Definitions.—In this Act,—

(a) “vegetable oils” include coconut, groundnut, cotton seed, sesamum, *til*, rapeseed oils and such other oils as are used or are usable for the manufacture of hydrogenated vegetable oils popularly known as *vanaspati* ghee.

(b) Hydrogenation means the process of passing hydrogen through vegetable oils.

3. Prohibition of manufacture and import of hydrogenated vegetable oils.—It is hereby declared that it is expedient in the public interest that the manufacture and import in the Indian Union of hydrogenated vegetable oils popularly known as *vanaspati* ghee, be prohibited and the same are hereby prohibited.

4. Punishment for manufacture or import of hydrogenated vegetable oils.—Any person who manufactures or imports or abets the manufacture or import of hydrogenated vegetable oils into the Indian Union shall be punished with imprisonment of either description for a term which may extend to one year.

5. Forfeiture of certain property used in the commission of the offence.—Whenever any offence relating to the manufacture or import of hydrogenated vegetable oils has been proved to have been committed, the court shall order that the machinery, utensils, receptacles, other instruments or articles, components or unfinished or finished goods and the imported vegetable oils, as the case may be, be forfeited to the Government.

6. Issue of search warrants, disposal of property seized and appeals.—

(1) If a District Magistrate, Sub-Divisional Magistrate or Magistrate of the First Class specially empowered in this behalf, upon information and after such enquiry as he thinks necessary, has reason to believe that any place is being used for the manufacture of hydrogenated vegetable oils or for the deposit of imported hydrogenated vegetable oils, he may, by warrant, authorise any Police officer, above the rank of a constable, to enter, with such assistance as may be required, such place and to search the same and take into possession any machinery, utensils, receptacles, other instruments or articles, components or unfinished or finished goods used for and connected with the manufacture of hydrogenated vegetable oils and the imported hydrogenated vegetable oils, as the case may be in accordance with the general provisions of the Code of Criminal Procedure, 1898 (V of 1898) relating to searches, and make a report to the court how the warrant has been executed and what things or articles have been taken into possession.

(2) The court may make such orders as it thinks fit for the proper custody of the articles or things taken into possession on search pending the conclusion of the enquiry or trial, and after conclusion of the enquiry or trial, order the destruction, forfeiture, sale of any such articles or things, as the case may be, and in case the court finds that such articles or things

were not used for or were not connected with the manufacture of hydrogenated vegetable oils or the stuff seized was not hydrogenated vegetable oil or was not imported, it shall order the return of such articles, things or goods to the person entitled to the possession thereof.

(3) Any person aggrieved by an order made under sub-section (1) may appeal against such order to the court to which appeals ordinarily lie from such subordinate court.

STATEMENT OF OBJECTS AND REASONS

This Bill aims at prohibiting the manufacture and import of what is popularly known as *vanaspati* ghee. The stuff known as *vanaspati* ghee is in fact no ghee at all, but it is hydrogenated vegetable oil and that too of inferior quality from the point of nutrition. Usually groundnut or cotton-seed oil and similar oils are used for the manufacture of *vanaspati* ghee. The process of hydrogenation, i.e., passing hydrogen through vegetable oils solidifies these oils and imparts to them the texture, shape, consistency and flavour of ghee and thereby invests these oils with potential and potent capacity for being undetectably adulterated with pure ghee. The Ayurvedic science and the popular notions associate great potentialities of imparting vigour and strength to the human system with pure ghee and regard milk-ghee as *Amrit*.

In the last few years its manufacture has increased to an alarming extent and the manufacturing interests have become so powerful and influential that in spite of its most baneful effects on the physical health, public morals and rural economy of the country, the Government has not been able to check its growth.

It has been proved by experiments carried on in Government Scientific Laboratories that its use is detrimental to health.

The demand in the country for prohibiting the manufacture and import of *vanaspati* ghee is very strong.

A Bill on these lines was introduced in the Provisional Parliament and was circulated for eliciting public opinion in the country. A very large volume of public opinion in favour of this Bill was elicited and the Government were pleased to appoint a committee known as Ghee Adulteration Committee. The Committee is submitting its report to the Government. Unfortunately no effective colour has so far been found which will eliminate the adulteration of *vanaspati* with ghee. The only alternative now left is to prohibit the import and manufacture of hydrogenated vegetable oil known as *vanaspati* ghee.

THAKUR DAS BHARGAVA.

BILL No. 60 OF 1952

A Bill to provide for the prohibition of manufacture and sale of 'Vanaspati' in India.

Be it enacted by Parliament as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Prohibition of Manufacture and Sale of Vanaspati Act, 19

(2) It extends to the whole of India except those areas as may be exempted by the Central Government.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint within one year from the date of its passing.

2. Definitions.—(a) “vanaspati” shall include all hydrogenated oils under whatever name or form;

(b) “implements” shall include all tools and instruments used in the manufacture of vanaspati;

(c) “person” shall include any company or association or body of individuals, whether incorporated or not.

3. Prohibition of manufacture and sale of vanaspati.—No person shall manufacture or sell vanaspati in India.

4. Punishment for manufacture and sale of vanaspati.—Any person who contravenes the provisions of this Act shall be liable on conviction to imprisonment of either description which may extend to one year and to a fine which the court may consider reasonable in the circumstances of the case.

5. Forfeiture of the implements to the Central Government.—The court while convicting the offender under section 4 may order the forfeiture of the implements to the Central Government.

STATEMENT OF OBJECTS AND REASONS.

Vanaspati affects public health adversely. During the process of its manufacture some of the sustaining properties of the edible oils perish. It is a very handy adulterant of animal *ghee*. Besides, vanaspati itself has become liable to adulteration so very easily by the manufacture of vanaspati from mineral oils, like kerosene and unedible oils like *Kataiyh*. The time has, therefore, become ripe when in the interest of public health and development of the *ghee* industry, the manufacture and sale of vanaspati should be banned. The present Bill has been drafted with this object in view.

JHULAN SINHA.

BILL No. 74 OF 1952

A Bill further to amend the Child Marriage Restraint Act, 1929.

WHEREAS it is expedient further to amend the Child Marriage Restraint Act, 1929 (XIX of 1929) for the purposes hereinafter appearing;

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Child Marriage Restraint (Amendment) Act, 1952.

2. Amendment of section 2, Act XIX of 1929.—In clause (a) of section 2 of the Child Marriage Restraint Act, 1929 (hereinafter referred to as the

said Act) for the word "eighteen" the word "twenty-one" and for the word "fifteen" the word "eighteen" shall be substituted.

3. Amendment of section 3, Act XIX of 1929.—In section 3 of the said Act,—

- (a) the words "above eighteen years of age and" shall be deleted; and
- (b) after the word "twenty-one" the words "years of age" shall be inserted.

STATEMENT OF OBJECTS AND REASONS

The population of India is increasing rapidly. It has no relation to the increase of food stuffs. Even if all the river valley projects, big and small, are completed within a reasonable measure of time, there is no guarantee that the standard of living of the masses will increase to any considerable extent. Nor is the chance of sustaining a growing population with increased industrialised production and export drive, bright in the context of an ever-increasing competition in the world market. Nor is there any chance of relieving the pressure of population through emigration. In the meantime, the health of the Nation is deteriorating progressively. Even the expectancy of life in the country, poor when compared to other countries of the world, is going down. There is a perceptible and progressive physical degeneration in the children born year after year. The vast majority of the masses are suffering from undernourishment, mal-nutrition, sickness and disease.

If we are to survive as a virile, robust and progressive nation, and if we are to raise the standard of living of the masses, we must protect the health of the youth and at the same time check the growth of population. Both can be achieved by raising the age for marriage. Fertility is highest between the ages of 15 and 25. Raising the age of marriage will go a long way to solve our economic, health, medical, mental, moral and other problems. Our goal of Welfare State can best be achieved by developing a race of limited number of robust men and women.

Hence this Bill.

S. V. RAMASWAMY.

BILL No. 65 OF 1952

A Bill further to amend the Special Marriage Act, 1872.

WHEREAS it is expedient further to amend the Special Marriage Act, (III of 1872) for the purposes hereinafter appearing:

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Special Marriage (Amendment) Act of 1952.

2. Amendment of section 2, Act III of 1872.—(1) In section 2 of the Special Marriage Act, 1872, (hereinafter referred to as the said Act),—

- (i) In clause (2) for the word 'eighteen' the word 'twenty-one'; and for the word 'fourteen' the word 'eighteen' shall be substituted; and

(ii) for clause (3) the following shall be substituted, namely:—

“(3) each party must produce before the Registrar,—

(a) a certificate of age; and

(b) a certificate of medical fitness from a competent doctor in service and a certificate of economic stability from a Government servant not below the rank of a *Tahsildar*.”

STATEMENT OF OBJECTS AND REASONS

Persons who go before the Registrar of Marriages under Act III of 1872 to have their marriage registered, instead of being married in the customary manner must be prevented from marrying in haste and before their judgment can be mature. To prevent the marriages of young persons, therefore, it is necessary to raise the age of marriage and to insist on certain certificates which will provide opportunities to think of the nature of the step they are taking in entering into a contract of marriage. It will help to bring about healthier and well considered marriages.

S. V. RAMASWAMY.

BILL No. 63 OF 1952

A Bill further to amend the Indian Penal Code, 1860.

WHEREAS it is expedient further to amend the Indian Penal Code (XLV of 1860) for the purposes hereinafter appearing:

Be it enacted by Parliament as follows:—

1. **Short title.**—This Act may be called the Indian Penal Code (Amendment) Act of 19

2. **Amendment of section 312, Act XLV of 1860.**—In section 312 of the Indian Penal Code (XLV of 1860) (hereinafter referred to as the said Act) after the word ‘woman’ appearing for the second time the words “and for the purpose of avoiding the economic burden of rearing a ‘baby’” shall be inserted.

3. **Amendment of section 314, Act XLV of 1860.**—In section 314 of the said Act the following shall be added, namely:—

“Provided that the first clause shall not apply to duly authorised doctors in Government hospitals and the birth control clinics”.

STATEMENT OF OBJECTS AND REASONS

Every year thousands of children are born and there are cases where the parents can ill-afford an addition to the family on economic and health grounds. The prevention of the birth of such children is essential for the maintenance of the health of the nation and for better standard of living of the people.

The existing law, enacted a hundred years ago, when conditions were different and the economic stress of life was not so great, needs revision.

Penal laws are not immutable and they must be suitably amended in the context of economic exigencies and the general set up of society.

Amendment in section 2 seeks to place the economic necessity, of avoiding child birth on a par with the safety of the life of the mother.

Amendment in section 8 imposes an obligation on the State, impliedly, to provide facilities for having legalised abortions and to protect the authorised doctors against possible fatal results in performing the abortions.

Hence the present Bill.

S. V. RAMASWAMY.

BILL No. 125 OF 1952

A Bill to provide for the improvement and protection of the handloom industry.

WHEREAS it is expedient to provide for financial assistance on a permanent statutory basis for the improvement and protection of the handloom industry:

Be it enacted by Parliament as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Handloom Industry (Improvement and Protection) Act, 19

(2) It extends to the whole of India, except the State of Jammu and Kashmir.

(3) It shall come into force on such date and in such States as the Central Government may by notification in the Official Gazette appoint.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

(1) 'Board' shall mean the Handloom Improvement and Protection Board.

(2) 'fund' means the Handloom Improvement and Protection Fund.

(3) 'handloom' means the apparatus worked by manual labour for the production of cloth.

(4) 'handloom cloth' includes any cloth woven from cotton, silk or artificial silk, staple fibre, wool, coir or any other fibre, vegetable or animal.

(5) 'handloom industry' means any industry which manufactures handloom cloth.

3. Declaration of Protection.—The Central Government shall declare that the weaving mills in India shall not produce cloth in the width range of 36" to 54" and shall also declare from time to time the kind of cloth they are not to manufacture in order to avoid competition with the handloom industry.

4. Setting up of a Board, with its headquarters at Madras.—The Central Government shall constitute a Board for the improvement and protection of the handloom industry, with its headquarters at Madras.

5. Constitution of the Board.—(1) The Board shall consist of twenty-one members with the Minister of Industries of the Central Government as the Chairman and the Minister of Industries, Madras as the Vice-Chairman.

(2) Out of these twenty-one members, five shall be officials and the rest shall be non-officials. Representation shall be confined only to States having over 75,000 handlooms. Representation may also be given to States in proportion to the looms in their respective areas.

(3) The non-official members shall be nominated for three years in consultation with the Minister of Industry of a State and representative bodies connected with the handloom industry.

6. Creation of Fund.—(1) The Central Government shall constitute a fund for the improvement and protection of the handloom industry.

(2) A sum of rupees twenty-five crores shall be credited to this fund from out of the amount set apart for the development of cottage industries in the Five Year Plan of the Government of India.

(3) The Central Government shall credit to this fund any cess or levy or other collection made in this behalf from time to time.

7. Functions of the Board.—The Board may make such grants out of the fund to the several State Governments from time to time on the basis of the number of handlooms in each State for the following purposes:—

(a) improvement of the industry by the introduction of improved methods of warping, sizing, weaving, calendering, bleaching and other processes with a view to effecting economies in the production and improvement of the quality of handloom cloth;

(b) financing of co-operative societies or corporations of master weavers or weavers to help purchase of instruments and implements helpful for improvement of the industry;

(c) financing of facilities for marketing handloom goods inside and outside India;

(d) financing of such other schemes as will help improvement of the industry.

8. Power to make rules.—The Central Government may by notification in the Official Gazette make rules for carrying out the purposes of this Act, including the allocation of funds to various States.

STATEMENT OF OBJECTS AND REASONS

The handloom Industry is the largest national industry, next in importance only to agriculture. There are over 25 lacs of looms in India, and at least one crore of people are depending directly on it. A large number of people are also depending indirectly on it, like warpers, combers, sizers,

yarn merchants, dye merchants, dyers, traders, *dalalies*, merchants, whole-sale and retail etc. This industry is very badly off. Unless the sphere of production of mills is restricted the handloom weavers will suffer untold misery. It is necessary to protect the industry and at the same time improve it to stand competition better. Hence this Bill.

S. V. RAMASWAMY.

BILL No. 18 OF 1953

A Bill further to amend the Payment of Wages Act, 1936.

BE it enacted by Parliament as follows:—

1. Short title, extent, commencement and application.—(1) This Act may be called the Payment of Wages (Amendment) Act, 19 .

(2) It extends to the whole of India.

(3) It shall come into force at once.

(4) It shall apply to claims of wages of labour filed under the Payment of Wages Act, 1936, which may have been decided prior to this enactment but after the 15th day of August, 1947, by any authority or court contemplated by the Payment of Wages Act, 1936, or by any High Court of Judicature, whether in its appellate or revisional jurisdiction, or by any other court or authority having similar jurisdiction, or by any one of the aforesaid courts or authorities in its original or appellate or revisional jurisdiction; and shall also apply to matters pertaining to such claims for wages pending at the time of coming into force of this Act, notwithstanding the decision by any of the said courts or authorities, whether they are filed as claim applications, or appeals or revisions or reviews before them.

2 Amendment of section 2, Act IV of 1936.—In clause (vi) of section 2 of the Payment of Wages Act, 1936 (hereinafter referred to as the said Act),—

(i) for the words “if the terms of the contract of employment, express or implied, were fulfilled,” the words “in respect of the employment or of work done in such employment of a person employed” shall be substituted;

(ii) after the words “be payable” the words “to him, whether agreed upon under the terms of the contract of employment, or sanctioned by the Central Government or the Government of any State or by any Tribunal, Court or authority or fixed otherwise”; and

(iii) the words “to a person employed in respect of his employment or of work done in such employment” shall be omitted.

3. Amendment of section 17, Act IV of 1936.—In section 17 of the said Act,

(1) In sub-section (1),—

(a) for the words “a direction” the words “any decision” shall be substituted; and

(b) for the word “direction” the word “decision” shall be substituted; and

(2) for sub section (2) the following shall be substituted, namely:—

“(2) No further appeal shall lie against any decision made under sub-section (3) or sub-section (4) of section 15.”

4. Insertion of new section 27, Act IV of 1936.—After section 26 of the said Act, the following new section shall be inserted, namely:—

“27. *Limitation for applications of review.*—The limitation for applications of review shall be one year from the day of coming into force of this Act.”

STATEMENT OF OBJECTS AND REASONS

In the working of the Payment of Wages Act, 1936, some doubts have arisen in regard to the interpretation of the word “direction” in section 17 of the Act. The object of the Bill is to remove this and certain other defects and also to afford relief to persons who have suffered thereunder.

N. B. KHARE

BILL No. 31 OF 1953

A Bill to regulate and licence institutions caring for women and children.

WHEREAS it is expedient to enact a law to regulate and licence orphanages and other institutions caring for women and children under eighteen years of age and to provide for the proper custody, care and training of their inmates:

Be it enacted by Parliament as follows:—

PART I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Women’s and Children’s Institutions Licensing Act, 19 .

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. Definitions.—(1) In this Act, unless there is anything repugnant to the subject or context,—

(i) “child” includes a boy or a girl who has not attained the age of eighteen;

(ii) “institution” includes an orphanage, vigilance home, rescue home, shelter and any other home or place run by Government or any local authority or by private individuals or organisations, which provides for the care of five or more women and/or children or which is so organised or administered that its service is essentially institutional in character regardless of the number of inmates cared for;

(iii) “licensing authority” means the District Magistrate of a district or any special officer appointed by the District Magistrate to perform on his behalf the duties of the licensing authority;

(iv) "manager" means the owner and any person having or acting in the care or management of a women's or children's institution, vigilance home, rescue home, shelter or other such institution and the members of the governing body of that institution, if any;

(v) "person" includes an institution, association or body of individuals whether incorporated or not, established for or having for its object the reception or protection of women or children or the prevention of cruelty to children or exploitation of women for immoral purposes and which undertakes to train and rehabilitate, or to bring up or to give facilities for training or rehabilitation or bringing up of any woman or child entrusted to its care in conformity with the religion of her or his birth;

(vi) "woman" includes a female of eighteen years of age and above.

(vii) "year" means the calendar year of Christian era.

(2) Words and expressions used and not defined in this Act but defined in the Code of Criminal Procedure, 1898, shall have the meaning assigned to them in that Code.

PART II

LICENSING

3. Licence required to run a Children's Institution.—(1) No person, shall, without first having obtained a written licence from the licensing authority own, establish, maintain or conduct any Women's and Children's Institution, under any name for the reception or care of women and/or children nor shall either receive or care for any woman or child in the absence of her husband, parent or lawful guardian, with or without maintenance.

(2) An application for securing licence for an institution shall be made in writing in the prescribed form by the manager of an institution caring for women and/or children to the licensing authority.

(3) The licensing authority shall thereupon cause enquiry to be made in respect of such application with special reference to the constitution, aims, objects and financial stability of the organization, as also arrangements for board and lodging, general health of the inmates and facilities for their education, medical treatment, industrial training and rehabilitation.

(4) The licensing authority on such enquiry may if satisfied grant a licence in respect of such place, and the licence shall remain in force for the calendar year subject to such conditions and requirements as may be prescribed.

(5) The licence, besides giving the name of the institution, its managers, and its location, shall specify the number, sex, age and other limitation as to the women or children to be admitted and the performance of the services.

4. Renewal of licence.—Application for renewal of a licence shall be filed at least thirty days prior to its expiration. If no such application is filed, the licence shall automatically cease at the end of the calendar year.

5. Non-transfer of licence.—No licence shall be transferable.

6. Change of licence or service not permitted.—The location of any Institution specified in the licence, and the performance of any service specified therein shall not be changed without the written consent of the licensing authority.

7. Maintenance of register of records.—Every holder of a licence shall maintain a register in the prescribed form setting forth the following facts concerning each woman or child on admission received into the care of such licence holder—

- (a) name of the woman or child;
- (b) age, sex, and religion;
- (c) condition of her or his health on admission;
- (d) last address;
- (e) nearest of kin;
- (f) names of father and mother stating whether dead or living and name of husband in case of a married woman or a girl;
- (g) persons responsible for her or his care;
- (h) amount, if any, paid for care;
- (i) name of person or agency seeking admission of the woman or child;
- (j) reasons for admission;
- (k) terms and conditions of admission;
- (l) a brief history of the case; and
- (m) such other data as from time to time may be required by the licensing authority.

8. Holder of licence to file copy of register.—Every holder of licence shall file a copy of the register of records with the licensing authority at the time of issue of the licence.

9. Monthly statement of admissions and discharges to be filed.—The holder of the licence shall further furnish to the licensing authority a monthly statement in the prescribed form of all new admissions and discharges.

10. Death of persons and administrative changes to be reported.—Upon the occurrence of a death of any inmate or any changes in the administrative personnel of any such institution, the holder of the licence shall within forty-eight hours give notice in writing to that effect to the licensing authority:

Provided that the incident of a sudden death shall be reported to the licensing authority immediately.

11. Managers of institutions bound to teach and train every child admitted.—The manager of the institution shall be bound to teach, train, lodge, clothe and feed every woman or child, admitted in the institution till the woman is rehabilitated or the child attains the age of eighteen years:

Provided that no such responsibility as aforesaid, shall be a binding on the manager if he resigns from the institution or if the licence of the institution is withdrawn.

12. Penalty for operation without licence.—(1) Any person, who maintains, conducts as manager or officer in any other administrative capacity or assists in maintaining or conducting any institution and contravenes the provisions contained in section 3 of this Act shall be guilty of an offence punishable with imprisonment which may extend to two months or with fine not exceeding two hundred rupees or with both.

(2) The inmates of any such institution shall be removed from there by the licensing authority and shall be placed in some other licenced institution.

PART III

MANAGEMENT AND INSPECTION

13. Governing Body.—Every institution licenced under this Act shall be under the management of a Governing Body, the members of which shall be deemed to be the managers of the institution for the purpose of this Act and shall be deemed to be responsible for the organization.

14. Audited accounts to be submitted to the licensing authority.—Every institution shall maintain proper accounts of all sums of money received and spent, and shall file with the licensing authority an annual statement of accounts duly audited by a chartered accountant.

15. Inspection by the licensing authority.—(1) Any institution may be inspected at all reasonable hours by a licensing officer or any member of his inspecting staff for the purpose of looking after the health and welfare of the children and the sanitation of the premises.

(2) The licensing officer or any member of his inspecting staff shall have power to enter the institution at all reasonable hours and to make a complete inspection thereof and of all registers relating thereto for the aforesaid purpose, and the person in-charge of the place shall afford all reasonable facilities for such inspection.

(3) The officer so inspecting shall at the conclusion of his inspection record his remarks in the visitor's book of the institution.

(4) The licensing authority shall communicate to the institution inspected by him or his representative any suggestion he has to make on receiving the report of his representative.

16. Government if dissatisfied may withdraw licence.—(1) The State Government concerned, on a report from the licensing authority if dissatisfied with the conditions, rules, management or superintendence of a licenced institution, may at any time by notice served on the managers of the institution declare that the licence be withdrawn as from a date specified in the notice, and the institution shall cease to function from that date.

(2) The State Government concerned may instead of cancelling a licence under sub-section (1) by notice served on the managers of the institution prohibit further admissions to the institution for such time as may be specified in the notice or until the notice is revoked:

Provided that before the issue of a notice under sub-sections (1) and (2) a reasonable opportunity shall be given to the manager of the institution to show cause why the licence may not be withdrawn or admission to the institution may not be prohibited, as the case may be.

17. Resignation of licence by managers and its effect.—(1) The manager of the institution may, on giving six months notice in writing to the State Government through the licensing authority of his intention to do so, apply for cancellation of the licence of the institution, and accordingly at the expiration of six months from the date of notice, unless before that time the notice is withdrawn, the cancellation of the licence shall take effect and the institution shall cease to function.

(2) A woman or a child shall not be received into the institution after the date of receipt, by managers of the institution, of a notice of withdrawal of licence or after the date of a notice of cancellation of the licence:

Provided that the obligation of the managers to teach, train, lodge, clothe and feed any inmates in the institution shall continue until the withdrawal or cancellation of the licence takes effect.

18. Custody of inmates of institution on cancellation of licence of an institution.—The licensing authority, on cancellation of the licence of any place under sections 16 and 17 or otherwise closing down of an unauthorised institution under section 12, may direct that any woman or child who is an inmate of such place, be,—

(a) restored to the custody of her or his parent, husband or guardian, as the case may be;

(b) released to the care of any other fit person; or

(c) transferred to another institution.

19. State Governments to make rules for management of institutions.—The State Governments are empowered to make such rules and regulations as they deem fit for the management of the institutions or for the performance of their services.

20. Local Authority competent to fix standards for sanitation, health and hygiene for institutions.—The provisions of this Act shall not prevent the local authority of any city or district from adopting rules and regulations prescribing standards of sanitation, health and hygiene for the institutions.

STATEMENT OF OBJECTS AND REASONS

A large number of bogus children's houses and orphanages are existing in the country and exploiting destitute women and children. Inhuman conditions prevail in these institutions. In order to protect women and children from such exploitation, legislation is necessary to regulate and license orphanages and other institutions caring for women and children under eighteen years of age, and to provide for the proper custody, care and training of their inmates. Articles 39 of the Constitution relating to the Directive Principles of State Policy lays down *inter alia* that "The State shall in particular direct its policy towards securing that childhood and youth are protected against exploitation, and against moral and material abandonment."

This Bill seeks to secure the early realisation of this objective.

UMA NEHRU.

BILL No. 36 OF 1953

A Bill to provide for and consolidate the law relating to suppression of immoral traffic in women and brothels.

WHEREAS it is expedient to provide for and to consolidate the law relating to prostitution in India, and to provide for efficient enforcement thereof;

BE it enacted by Parliament as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Suppression of Immoral Traffic and Brothels Act, 19

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(i) “brothel” means any house, room, place, premises or any portion thereof which the occupier or person in charge thereof allows to be used by another person for the purpose of prostitution and includes any vehicle which the person driving or in charge of allows to be used by another person for the purpose of prostitution;

(ii) “commissioner of police” means the Commissioner of Police for the Cities of Madras, Bombay and Calcutta;

(iii) “magistrate” means a salaried Presidency Magistrate or Magistrate of the first class, inclusive of the Commissioner of Police;

(iv) “prescribed” means prescribed by rules made under Section 18 of this Act;

(v) “prostitution” means promiscuous sexual intercourse for hire, whether in money or kind, and includes an act of offering the body to indiscriminate lawdness or sexual intercourse for a consideration;

(vi) “prostitute” means any female available for the purpose of prostitution;

(vii) “public place” means a place including road, street or way, whether a thoroughfare or not and a landing place to which the public are granted access or have a right to resort or over which they have a right to pass and includes a refreshment room, eating house, coffee house, boarding house, lodging house, tea shop or any other place whether enclosed or open to which the public are admitted and where any kind of food or drink is supplied for consumption on the premises for the profit or gain of any person owning or having an interest in or managing such place;

(viii) “rescue home” means a corrective institution established or recognised by the State Government in which girls under the age of eighteen years and women rescued from any brothel, disorderly house or place of assignation, are placed in pursuance of this Act and given such training and instruction and subjected to such disciplinary and moral influence as will conduce to their reformation and the prevention of offences under this Act;

(ix) “shelter” is an institution established or recognised by the State Government in which girls and women undertrials are kept in pursuance of this Act;

(x) "superintendent of police" means a District Superintendent of Police, or any person appointed by the State Government to perform the duties of the Superintendent of Police for the purpose of this Act;

(xi) "vigilance home" means a corrective institution established or recognised by the State Government, in which women are detained in pursuance of this Act and given such training and instruction and subjected to such disciplinary and moral influence as will conduce to their reformation and the prevention of offences under this Act;

(xii) "woman" means a female who has completed the age of eighteen years and above.

3. Common prostitute in vicinity of public places.—Whoever carries on prostitution in any premises,—

(a) which are adjacent or opposite to, or within a distance of one hundred and fifty yards of, any place of public religious worship, educational institution, public park, public playground, cinema, theatre or railway station, or on a thoroughfare, or

(b) which are notified in this behalf, by the Commissioner of Police or the District Magistrate, in the manner prescribed by rules made by the State Government,

shall be punished with imprisonment which may extend to three months or with fine which may extend to two hundred rupees, or with both.

4. Punishment for keeping or managing a brothel.—(1) Any person who keeps or manages or acts or assists in the management of a brothel shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both.

(2) Any person who,—

(a) acts as a tout or pimp on behalf of any prostitute; or

(b) being the tenant, lessee, occupier, or person in charge of any premises, knowingly permits such premises or any part thereof to be used as a brothel; or

(c) being the lessor or landlord of any premises or the agent of such lessor or landlord, lets the same or any part thereof to any person convicted under sub-section (1) or to a person mentioned in clause (a) with the knowledge that such premises or some part thereof are or is to be used as a brothel; or

(d) is wilfully a party to the use of such premises, or any part thereof,

shall be punished with imprisonment which may extend to three months or with fine which may extend to five hundred rupees, or with both.

(3) Notwithstanding anything contained in any other law for the time being in force, a Court convicting the lessee, tenant, occupier or person residing in any house, room, place, premises or any portion thereof for offences under sub-section (1) or clauses (a) and (b) of sub-section (2) may summarily dispossess any such lessee, tenant, occupier or person occupying or residing in any such house, room, place, premises or any

portion thereof and put the lessor or the landlord or the agent of such lessor or landlord in possession thereof.

(4) When the lessor or landlord or the agent of such lessor or landlord is put in possession of any house, room, place, premises or portion thereof under the provisions of sub-section (3) he shall not grant another lease or enter into another contract of tenancy to or for the benefit of the same person or persons without causing to be inserted in such lease or contract all reasonable provisions for the prevention of recurrence of any such offences. Any lessor or landlord or the agent of any house, room, place, premises or any portion thereof in pursuance of sub-section (3) who fails to comply with the provisions of sub-section (4) shall be punished with imprisonment which may extend to six months or with fine which may extend to five hundred rupees or with both.

(5) Any person who having been convicted of an offence punishable under sub-sections (1) or (2) is convicted of a subsequent offence punishable under the said sub-sections shall be punished with imprisonment of either description for a term which may extend to five years or with fine or with both and may in addition be ordered by the Court convicting him, to execute a bond for a sum proportionate to his means with or without sureties to be of good behaviour for such period not exceeding three years as it thinks fit.

(6) If a conviction under sub-sections (1) and (2) is set aside on appeal or otherwise the bond so executed shall be void.

(7) An order for the execution of a bond in accordance with the provisions of sub-section (5) may also be made by an appellate Court or by a High Court when exercising its powers of revision.

(8) The provisions of Chapter VIII of the Code of Criminal Procedure 1898 (Act V of 1898) shall apply to orders made for the execution of bonds under this section and imprisonment for failure to give security shall be rigorous or simple.

5. Right of Police officer to enter into the brothel, and the custody of the girl.—(1) Where a Magistrate has reason to believe from a report made to him by a police officer or otherwise that a girl apparently under the age of eighteen years is living, or is carrying on, or is being made to carry on prostitution in a brothel, disorderly house, or place of assignation, he may issue an order to a police officer not below the rank of a Deputy Superintendent of Police specially authorised in writing in this behalf by the Commissioner of Police, or by the Superintendent of Police to enter into such brothel, disorderly house or place of assignation and to remove therefrom such girl, and thereupon such police officer shall have the power to enter into such brothel, disorderly house or place of assignation of such girl and any other girl found therein if, in his opinion, she is under the age of eighteen years and is living or is carrying on or is being made to carry on prostitution in such brothel, disorderly house or place of assignation.

(2) A girl who has been so removed shall be brought before the Court which shall make an enquiry in the manner prescribed for conducting trial and recording evidence in summons cases and if satisfied that she is living on or is being made to carry on prostitution in a brothel, disorderly

house or place of assignation, or living in a house used for immoral purpose or in any other circumstances calculated to cause, encourage or favour the prostitution and that the girl is under eighteen years of age may make an order that such girl be placed for a short period in a rescue home or in such other custody as the court for reasons to be stated in writing shall consider suitable:

Provided that such custody shall not be that of a person or body of a different religious persuasion from that of the girl.

(3) Where the Court has arrived at a finding regarding the age of a girl dealt with under sub-section (2) such age shall for the purpose of that sub-section be deemed to be her true age and no order of the Court shall be deemed to be invalid or be liable to be interfered with in an appeal or revision on the ground that her age had not been correctly determined.

6. Place of custody of the girl.—When a girl has been removed from a brothel or disorderly house or place of assignation under the provisions of sub-section (1) of section 5 the police officer carrying out the removal or when a girl or woman who has been taken into custody under the provisions of this Act, shall until such girl or woman be brought before the Court cause her to be detained in a rescue home or shelter or in such other suitable custody other than a police station or jail, as may be prescribed in this behalf by the State Government, provided however that such custody shall not be that of a person or body of a different religious persuasion from that of the girl.

7. Punishment for living on the earnings of prostitution.—(1) Any person not below the age of eighteen years who knowingly lives, wholly or in part, on the earnings of the prostitution of another person shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both.

(2) Where any person is proved—

(a) to be living with or to be habitually in the company of a person living on prostitution, or

(b) to have exercised control, direction or influence over the movements of a person living on prostitution in such a manner as to show that such person is aiding, abetting or compelling her prostitution with any other or generally, it shall be presumed until the contrary is proved that such person is knowingly living on the earnings of the prostitution of another within the meaning of sub-section (1):

Provided that the mother, or a son or daughter of a person living on prostitution shall not be punished under sub-section (1) unless it is proved to the satisfaction of the Court that such mother, son or daughter is aiding, abetting or compelling her prostitution.

8. Punishment for traffic in women or girls.—(1) Any person who takes or attempts to take or causes to be taken from one place to another any woman or girl with a view to her carrying on or being brought up to carry on prostitution or causes or induces any woman or girl to carry on prostitution shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both.

(2) Any offences under this section may be tried in any place to which the woman or girl is brought or in which an attempt to bring her is made or in any place from which she is brought or caused to be brought or from which an attempt to bring her is made.

9. Punishment for detention of a woman or a girl in a brothel.—(1) Any person who detains any woman or girl against her will,—

(a) in any brothel,

(b) in or upon any premises with intent that she may have sexual intercourse with any man other than her lawful husband,

shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both.

(2) A person shall be presumed to detain a woman or a girl in a brothel for the purpose of sexual intercourse with a man other than her lawful husband, if such person, with intent to compel or induce her to remain there,

(a) withholds from her any jewellery, wearing apparel or other property belonging to her, or

(b) threatens her with legal proceedings if she takes away with her any jewellery or wearing apparel lent or supplied to her by or by the direction of such person.

(3) Notwithstanding any law to the contrary, a woman or girl mentioned in sub-section (2) shall not be liable to be proceeded against civilly or criminally for taking away or being found in possession of any jewel, wearing apparel, money or other property alleged to have been lent or supplied to or to have been pledged by such woman or girl by or to the person by whom she had been detained.

10. Punishment for inducement.—(1) Any person who induces a woman or girl to go from any place with intent that she may for the purpose of prostitution become the inmate of or frequent a brothel shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both.

(2) An offence under sub-section (1) shall be triable in the place from which the woman or girl was induced to go or in any place to which she may have gone as a result of such inducement.

11. Punishment for prostitution.—(1) Whoever, in any street or public place or within sight of and in such manner as to be seen or heard from any street or public place whether from within any house or building or not,—

(a) by words, gestures, indecent exposures of his or her person or otherwise attracts or endeavours to attract attention for the purposes of prostitution, or

(b) solicits or molests any person for the purposes of prostitution, shall be punished with imprisonment for a term which may extend to one year or with a fine which may extend to one thousand rupees or with both.

(2) A Magistrate convicting any girl or woman who has not attained the age of thirty years, of an offence under sub-section (1), may in lieu of passing a sentence of imprisonment under the section pass a sentence

of detention if she is a girl in a rescue home or if she is a woman in a vigilance home for a term which shall not be less than two years or more than five years.

(3) Where a Magistrate has arrived at a finding regarding the age of a girl or women dealt with by him under sub-section (2) such age shall for the purpose of that sub-section be deemed not to be invalid or be liable to be interfered with in an appeal or revision on the ground that her age had not been correctly determined by the Magistrate.

(4) For the purposes of appeal and revision under the Code of Criminal Procedure, 1898 (Act V of 1898) a sentence of detention for any period passed under sub-section (2) shall be deemed to be a sentence of imprisonment for the like period.

12. Ejection from the premises used as a brothel.—(1) Any Presidency Magistrate or Superintendent of Police on information received or complaint made that any house, room, place, premises or any portion thereof is being run or used as a brothel by any person may on enquiry made in a summary manner and on being satisfied that it is so run or used by any person, notwithstanding any other law for the time being in force, summarily dispossess such person who resides in or occupies any such house, room, place, premises or any portion thereof found to have been so run or used, and put the lessor or landlord or the agent of such lessor or landlord in possession thereof:

Provided that if it is found that the lessor or landlord has so run or used the house, room, place, premises or any portion thereof the Magistrate may let the house to any tenant, and arrange to pay the rent to the lessor or landlord as the case may be.

(2) An appeal or revision from any order or judgment under sub-section (1) shall lie to the High Court.

13. Punishment for seduction of a girl who is in custody.—Any person who having custody, charge or care of any girl or woman causes or aids or abets the seduction or prostitution of that girl or woman shall be punished with imprisonment of either description for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both.

14. Evidence as to the character of the accused.—Notwithstanding anything contained in any other law for the time being in force in any proceeding under this Act, evidence of bad character, general reputation of disposition shall be relevant and admissible against the accused.

15. Arrest without warrant.—(1) Any police officer not below the rank of an Inspector may arrest without a warrant any person who has committed an offence under sections 4, 7, 8, 9, 10 and 11 or against whom a reasonable complaint has been made or credible information has been received or is reasonably suspected or alleged to be suspected to be concerned in an offence punishable under section 11 shall be arrested under this section only if the name and address of such a person be unknown to the police officer and cannot be ascertained by him then and there or if he has reason to suspect that a false name and address of his have been given.

(2) Any police officer authorised in this behalf in writing by the Commissioner of Police or the Superintendent of Police by special order may arrest without a warrant any person committing in his view any offence punishable under sections 8, 9, 10 or 11 if the name and address of such person be unknown to such police officer and cannot be ascertained by him then and there or if he has reason to suspect that a false name and address have been given.

16. Entry into certain premises without warrant.—(1) Notwithstanding anything contained in any other law for the time being in force any police officer not below the rank of an Inspector and any other police officer, authorised in this behalf in writing by the Commissioner of Police or the Superintendent of Police by special order or by orders by any Presidency Magistrate or First Class Magistrate may for the purpose of ascertaining whether an offence punishable under sections 4, 7, 8, 9, 10 and 11 has been or is being committed, enter without a warrant any premises in which he has reason to believe that any woman or girl is living in respect of whom an offence punishable under sections 4, 7, 8, 9, 10 and 11 has been committed.

(2) Any police officer entering into the premises under sub-section (1) shall be entitled to remove therefrom any girl if in his opinion she is under the age of eighteen years and is carrying on or is being made to carry on prostitution in such premises.

(3) All the provisions of this Act shall apply in regard to any girl so removed under sub-section (2) as if she had been removed under sub-section (1) of section 5.

17. Magistrate to try certain offences.—None below the rank of a Magistrate as defined in clause (iii) of section 2 shall try offences under sections 4, 7, 8, 9, 10 and 11:

Provided that notwithstanding anything contained in clause (iii) of section 2 the Commissioner of Police shall not be deemed to be a Magistrate for the purpose of this section.

18. State Governments to make Rules for maintenance of girls under custody.—(1) The State Government may make rules,—

(i) for the maintenance of girls placed in a rescue home or homes or other suitable custody under sub-section (2) of section 5;

(ii) for the detention of girls under the provisions of section 6 subject to the restriction that no girl shall be detained in the custody of a person or body of a different religious persuasion from that of the girl;

(iii) for the purpose of carrying into effect the provisions of section 11 and section 12 and in particular and without prejudice to the generality of this power with regard to—

(a) the management of vigilance homes and the appointment, powers and duties of officials in such homes;

(b) the care, treatment, maintenance, training, instruction and control of the inmates of such homes;

(c) visits to and communication with, such inmates ;

(d) the temporary detention of women sentenced to detention in vigilance homes until arrangements are made for sending them to such homes;

Provided that no woman shall be detained in the custody of any person or body of a religious persuasion different from hers;

(e) the transfer of a woman from one vigilance home to another;

(f) the transfer from a vigilance home to a prison of women found to be incorrigible or exercising a bad influence and the period of their detention in such prison;

Provided that such period shall not exceed one year;

(g) the transfer to vigilance homes of women sentenced under section 11 and the period of their detention in such homes;

(h) the discharge of inmates from vigilance homes either absolutely or subject to conditions, and their arrest in the event of breach of such conditions;

(i) the grant of permission to inmates to absent themselves for short periods.

(2) In making any rule under clause (iii) of sub-section (1) the State Government may provide that a breach thereof shall be punishable with fine which may extend to one hundred rupees.

STATEMENT OF OBJECTS AND REASONS

The large scale immoral traffic in women and children that is going on in our country has been a cause of grave anxiety for some time. Some States like Bombay, Madras, West Bengal and U. P. have taken measures for the suppression of immoral traffic, but it cannot be said that they are effective enough to eradicate the evil, while a greater number of States have taken no legislative action so far. There is, therefore, an urgent need to adopt uniform legislation for the entire country to check the further growth of this evil.

UMA NEHRU.

BILL No. 39 OF 1953

A Bill to provide for penalties for acceptance of titles and gifts from foreign States.

BE it enacted by Parliament as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Titles and Gifts from Foreign States (Penalty for Acceptance) Act, 19

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. Interpretation.—For the purposes of sections 3 and 4, a “foreign State” includes any institution or organisation in a foreign State.

3. Penalty for acceptance of a title from a foreign State.—Any citizen of India who accepts any title from a foreign State, in contravention of clause (2) of Article 18 of the Constitution of India, shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

4. Penalty for acceptance of a gift or present from a foreign State.—Any citizen of India who, without the consent of the President, accepts any gift or present from a foreign State, shall be punishable with imprisonment which may extend to two years, or with fine, or with both, and the court may on conviction pass an order of forfeiture of such gift or present or what it has been converted into.

5. Saving of certain gifts and honours.—Nothing contained in the foregoing sections shall be deemed to prohibit a citizen of India from accepting a scholarship, prize, degree or honour conferred in accordance with any rules, regulations or custom prevailing in a university or other institution devoted to the advancement of knowledge and situate in a foreign State.

6. Cognizance of offences.—The offences mentioned in this Act shall be tried or inquired into only by a Chief Presidency Magistrate or a Magistrate of the First Class and no court shall take cognizance of an offence under this Act except with the previous sanction of the President of the Union of India.

STATEMENT OF OBJECTS AND REASONS

Acceptance of titles conferred by foreign States is prohibited by clause (2) of Article 18 of the Constitution. It is necessary to provide a penalty for a breach of this injunction. Acceptance of gifts and presents from a foreign State, may in certain cases be not merely derogatory to national honour, but also prejudicial to India's international relations as well as internal security and welfare. It may sometimes be far more injurious to public interests than the acceptance of a title from a foreign State. It has therefore become necessary to prohibit such acceptance and provide penalties for it. This Bill also provides for a penalty for acceptance of a title prohibited by clause (2) of Article 18 of the Constitution.

C. R. NARASIMHAN.

BILL No. 42 OF 1953

A Bill further to amend the Code of Civil Procedure, 1908.

WHEREAS it is expedient further to amend the Code of Civil Procedure (V of 1908), for the purpose hereinafter appearing:

Be it enacted by Parliament as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Code of Civil Procedure (Amendment) Act, 195

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the President may, by notification in the Official Gazette, appoint in this behalf.

2. Omission of section 87B, Act V of 1908.—Section 87B of the Code of Civil Procedure, 1908, shall be omitted.

STATEMENT OF OBJECTS AND REASONS

Before the attainment of Independence there were in India a large number of States. The rulers of these States were given immunity from civil proceedings in Indian Courts and they were treated on the same basis as aliens or foreign rulers.

The Code of Civil Procedure as it stood before the independence contained provisions for this purpose in Sections 83 to 87, under the Heading "Suits by Aliens and by or against Foreign Rulers and Rulers of Indian States".

Subsequently the Code of Civil Procedure (Amendment) Act II of 1951 was passed and the former Sections 83 to 87 were substituted by the present Sections 83 to 87(B) by Section 12 of that Act. By this amendment Aliens, Foreign Rulers, Ambassadors and Envoys were put in one category and provisions in respect of them were embodied in the new Sections 83 to 87A and these Sections were placed under the Heading "Suits by Aliens and by or against Foreign Rulers, Ambassadors and Envoys".

Rulers of former Indian States were put under a different category and provisions in respect of them were made in the new section 87B. By this section 87B the provisions of the new Section 85 and sub-sections 1 and 3 of Section 86 were made applicable to the former rulers of Indian States as if they were Rulers of Foreign States.

All these rulers of former Indian States enjoy large private properties and some of them carry on business. They are in full enjoyment of the rights and privileges of a citizen and they must be subjected to the liabilities and duties of a citizen. Equality before law being one of the fundamental principles of our Constitution this special immunity from the processes of the civil law of the land is not warranted. This Bill is intended to remove this anomaly by deleting section 87B and placing the rulers of former Indian States on a par with the rest of the citizens of India before the civil law of the land.

H. V. PATASKAR.

BILL No. 45 OF 1953

A Bill to provide relief to unemployed workers.

BE it enacted by Parliament as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Unemployment Relief Act, 19 .

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force within six months from the date of its passing.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “commercial establishment” means a bank, an insurance company or any office, shop, restaurant, hotel, theatre or any other factory or industrial undertaking not covered by the Factories Act, 1948 (LXIII of 1948);

(b) “dock” shall have the meaning assigned to it in the Indian Dock Labourers Act, 1934 (XIX of 1934);

(c) “employee” means a person, other than a worker, employed in any factory, railway, mine, plantation, transport services, dock, or in an industrial or commercial establishment;

(d) “factory” shall have the meaning assigned to it in the Factories Act, 1948 (LXIII of 1948);

(e) “industrial establishment” means a workshop or other establishment, in which articles are produced, adapted, repaired or manufactured with a view to their use, transport or sale and includes Government industrial undertakings and Government and private printing presses;

(f) “mine” shall have the meaning assigned to it in the Indian Mines Act, 1923 (IV of 1923);

(g) “plantation” shall have the meaning assigned to it in the Plantations Labour Act, 1951 (LXIX of 1951);

(h) “public services” means services under the Government, Central or State or of any local body or educational institution, including universities and hospitals and dispensaries;

(i) “railway” shall have the meaning assigned to it in the Indian Railways Act, 1890 (IX of 1890) and also includes privately-owned or privately-run railways;

(j) “transport services” include all transport services, whether by land, sea or air,

(k) “worker” means any person employed, directly or through any agency, whether for wages or not, in any factory, railway, mine, transport services, plantation, dock or in an industrial or commercial establishment.

3. Registration and Relief Centres.—The Government shall open employment exchanges and unemployed relief centres in every municipal town for the registration of the unemployed.

4. Registration of the unemployed.—(1) Any worker, or employee, man or woman employed in any factory, mine, plantation, railway or transport service, dock, bank or insurance company or any commercial or industrial establishment or a public service shall have the right to get himself or herself registered at the nearest employment exchange and unemployed relief centre and shall be entitled to receive an unemployed registration card free of cost.

(2) Any man or woman above the age of sixteen years who, not having been previously employed, applies for a job to the employment exchange and unemployed relief centre and for whom employment is not secured for one month from the date of application of this Act shall also be entitled to receive an unemployment registration card.

5. Claim of Unemployment Relief.—(1) Any registered unemployed shall have the right to claim unemployment relief if he has been unemployed for a period of fifteen days continuously or a total of fifteen days during one calendar month.

(2) In the case of persons referred to in sub-section (2) of section 4, they shall be entitled to claim unemployment relief if they do not get employment for one month from the date of their registration,

6. Verification.—The employment exchange and unemployed relief centres shall verify the claim of the unemployment relief claimant within seven days through proper enquiry and shall inform the claimant of the result of the enquiry within three days of the completion of the enquiry.

7. Appeal against the result of the enquiry.—(1) If any registered unemployed is dissatisfied with the result of the enquiry in his case, he shall be entitled to ask for the reference of his claim to a Court of Appeal, which shall consist of one nominee each of the local trade union to which the unemployed claimant concerned belongs, the Government, and the Chairman or a representative of the Local Municipal Board.

(2) The decision of this Court of Appeal shall be binding on both the claimant and the Government.

8. Receipt of relief.—In case of claims being accepted by the Central Government or decreed by the Court of Appeal, the claimant shall be entitled to receive the amount due to him as relief within three days of the acceptance of his claim or the decree of the Court of Appeal and on the same date in subsequent months during the pendency of his accepted claim.

9. Disqualification.—Refusal of a job, carrying a lower wage and rates of dearness allowance and other allowances than what he was earning before being rendered unemployed or a job arising out of an industrial dispute or a job for which he is demonstrably unsuited or in which conditions of service are less favourable than in his usual employment, shall by no means disqualify any worker or employee from receipt of unemployment relief.

10. Rate of relief.—Every registered unemployed whose claim has been accepted or decreed by the Court of Appeal shall be entitled to receive relief at the following rates (with marginal adjustment):

(a) seventy five per cent. for those earning up to rupees sixty per month,

(b) sixty per cent. for those earning from rupees sixtyone to rupees hundred per month, and

(c) fifty per cent. for those earning from rupees hundred to rupees three hundred per month.

11. Period of relief.—A registered unemployed worker or employee shall be entitled to receive unemployment relief during the entire period of his or her unemployment and shall cease only on his or her being re-employed.

12. Rule making power of the Government.—The Government shall make rules and publish them in the Official Gazette to carry out the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

As a result of numerous closures of factories, mines, plantations, banks and other concerns and heavy retrenchment in public service, large scale increase in the number of unemployed has taken place in the country. Besides, there are large number of young men and women looking for jobs who are unable to find employment. This causes intense misery and sufferings to the unemployed and their dependents, leading to manifold social evils.

It is, therefore, felt that the Government must undertake the responsibility to provide relief to the unemployed and their families where it fails to secure for them suitable jobs on their being rendered unemployed.

H. N. MUKERJEE.

FINANCIAL MEMORANDUM

According to the latest Press note issued by the Directorate General of Resettlement and Employment for the month of June 1953, the number of persons still on the register of employment exchanges in India still seeking employment assistance was 4,73,917.

Now it is well-known that only a small section of the unemployed actually get themselves registered at the exchanges. Hence, at a conservative estimate, the number of unemployed would be in the neighbourhood of 25 lakhs.

If the average benefit per unemployed as per our proposal, in clauses 8, 9, 10 and 11 of the Bill, is calculated at Rs. 50 per month, it would involve an expenditure of Rs. 12·5 crores per month and Rs. 150 crores per year.

BILL No. 55 OF 1953

A Bill further to amend the Code of Criminal Procedure, 1898

WHEREAS it is expedient further to amend the Code of Criminal Procedure (V of 1898) in the manner hereinafter appearing;

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Code of Criminal Procedure (Amendment) Act, 1953.

2. Amendment of section 435, Act V of 1898.—In sub-section (1) of section 435 of the Code of Criminal Procedure (V of 1898), after the words “any sentence” the words “or order” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

Section 435 of the Code of Criminal Procedure confers upon the revisional court very wide powers like calling for records or suspending the sentences of the inferior court. This practice continued where final orders were passed by an inferior court against which there is no provision of an appeal. But the recent pronouncement of the High Court of Allahabad (A.I.R., 1953, Allahabad, p. 498) that an interim order except in cases of sentences suspending or staying the execution of any final order, against which revision is preferred, is illegal and without jurisdiction creates difficulties. If a revisional court has no jurisdiction to stay or suspend final order against which revision is preferred, the purpose of law will fail on account of delay, irreparable damages to the properties, delivery of possession during interim period to the third party, and will encourage purposeless litigation.

Thus to meet the end of justice and decrease litigation, it is necessary that the section 435 be amended immediately and the revisional court be empowered to stay or suspend the final orders of lower courts.

RAGHUNATH SINGH

BILL NO. 54 OF 1953

A Bill to provide for the better administration and governance and for the preservation of the Sri Kashi Viswanath Mandir, known as the golden temple of Banaras.

BE it enacted by Parliament as follows:—

1. Short title and commencement.—(1) This Act may be called the Sri Kashi Viswanath Mandir Act, 19 .

(2) It shall come into force on such date as the Central Government may by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “Committee” means a committee constituted under section 5;

(b) “Mandir” means the institution known as Sri Kashi Viswanath Mandir and includes the premises called the Viswanath Mandir built by the late Maharani Devi Ahilya Bai of Indore, with all buildings, temples, deities contained therein together with all additions thereto or all alterations thereof which may hereafter be made from time to time, and includes the Naubat Khana built by the Nawab of Oudh and the Gyan Bapi well and the premises surrounded thereto by the boundary wall built by the Emperor Aurangzeb but excluding the mosque.

(c) “Mandir endowments” includes—

(i) the premises of the Kashi Viswanath Mandir;

(ii) all buildings and movable properties within the boundaries of the Mandir;

(iii) the Naubat Khana and all other properties movable or immovable endowed on the Mandir or acquired in the name of or for the Mandir;

(iv) all Mandir *sampatti* including all lands, houses, shops and all immovable property, wherever situated, belonging to the Mandir;

(v) all other properties and all income derived from any source whatsoever dedicated to the Mandir or placed for any religious, pious or charitable purposes under the Mandir administration; and

(vi) all such *puja*, *charhawa*, offerings and *daxina* as are received on behalf of the Mandir by any person authorised by the Committee, or received by any person or *Panda* or who-soever brings a *Yatri* for *Darshan* or *Puja* or offering in the Mandir.

3. The ownership of the temple.—The ownership of the temple and all the Mandir endowments, including *Sringar*, *Puja Samagri*, decoration articles etc. which have been used or may hereafter be used or utilised or made for the benefit of the Mandir in the name of any

person or for the convenience, comfort or benefits of the pilgrims, shall vest in Sri Kashi Viswanath Mandir and the Committee shall be entitled to their possession.

4. The Committee.—(1) The administration, control and management of the Mandir endowments shall be vested in a committee constituted in the manner hereinafter provided.

(2) The Committee shall, by the name of "Sri Kashi Viswanath Mandir Committee", be a body corporate and shall have perpetual succession and common seal and shall by the said name sue and be sued through its President.

5. Composition of Committee.—The Committee shall consist of—

- (a) the Maharaja of Indore or his representative,
- (b) one Sikh representative elected by the Punjab Legislative Assembly,
- (c) Maharaja Kashi Raj or his representative,
- (d) three members of Parliament, two from the House of the People and one from the Council of States duly elected by the House of the People and the Council of States respectively,
- (e) the District Judge and the District Magistrate of Banaras representing the Uttar Pradesh Government,
- (f) the Mayor of the Corporation of Banaras city,
- (g) elected members of the House of the People and the Uttar Pradesh Legislative Assembly, representing the city of Banaras,
- (h) three representatives of *Pandas* of the Mandir each representing one of the three branches of their family,
- (i) four representatives each representing the Banaras Hindu University, the Sanskrit University, Banaras, the Kashi Vidya Pith, Banaras and the Rishi Valley Trust, Banaras respectively, and
- (j) every person or his representative who has donated an amount of rupees one lakh or more in money or in kind to the Mandir. Such a person shall be a life member of the Committee.

6. Term of office and resignation and removal of members and casual vacancies.—(1) A member of the Committee appointed under clauses (h) and (i) of section 5 shall hold office for a period of five years from the date of his membership but may resign his office earlier by giving notice in writing thereof to the President of the Committee and shall cease to be a member on the resignation being accepted by the Committee.

(2) The Committee may remove from office by a majority of three-fourths of the votes of the total strength of the Committee, any member of the Committee—

- (a) who is of unsound mind and stands so declared by a competent court, or

(b) who has applied for being adjudged an insolvent or is an undischarged insolvent, or

(c) who has been convicted of any offence involving moral turpitude, or

(d) who has absented himself for a period of two consecutive years from the meetings of the Committee, or

(e) whose presence on the Committee would in the opinion of the Committee be prejudicial to the interest of the Committee, or

(f) who has misappropriated and acted against the expressed provision or direction of the Committee.

(3) Casual vacancies among members of the Committee appointed under clauses (b), (d), (h) and (i) of section 5 shall be filled as they have been elected or represented in the Committee.

(4) The term of the office of a member appointed under clauses (b), (d), (h) and (i) of section 5 to fill a casual vacancy shall be for so long only as the member whose place has been filled would have been entitled to hold office if the vacancy had not occurred.

7. President and Vice-President.—(1) Maharaja Kashi Raj and the District Judge of Banaras shall be President and Vice-President of the Committee respectively:

Provided that the representative of the Maharaja Kashi Raj shall not be *ex-officio* President.

(2) When the office of the President is vacant or in the absence of the President from any meeting, the Vice-President shall perform the functions of the President.

(3) In the absence of the President and the Vice-President, a meeting of the Committee may be presided over by a member elected by the majority of the members present at the meeting.

8. Supersession of the Committee.—If in the opinion of the Central Government or on the recommendation of the Government of Uttar Pradesh it is found that the Committee is guilty of gross mismanagement of the affairs of the Mandir or of neglect in the performance of its functions, the Central Government may supersede the Committee and entrust any person with full powers of the Committee until a new Committee is constituted in accordance with the provisions of this Act.

9. Powers and duties of the Committee.—The powers and duties of the Committee shall be—

(a) to administer, control, and manage the Mandir endowments;

(b) to keep the building within the boundaries of the Mandir and all buildings, houses, and shops comprised in the Mandir endowments in proper order and in a state of good repair;

(c) to receive all moneys and other income of the Mandir endowments;

(d) to see that the endowment funds are spent in the manner desired by the donor...

(e) to pay salaries, allowances, and perquisites and make all other payments due out of, or charged on, the revenues or income of the Mandir endowments:

(f) to determine the privileges of the *Pandas* and to regulate their presence in the Mandir by the grant to them of licences in that behalf, if the Committee thinks it necessary to do so;

(g) to appoint, suspend or dismiss servants of the Mandir endowments;

(h) to do all such other things as may be incidental or conducive to the efficient administration of the Mandir.

10. Remuneration to the families of existing *Pandas* of the Mandir.—A sum of rupees one hundred shall be paid, *per mensem*, to each of the three existing branches of the *Pandas'* family which shall be so distributed by the Committee that all the members of the family of each branch shall receive remuneration according to their respective shares:

Provided that the said remuneration shall neither be alienable nor can it be attached in any decree.

11. Power to solicit or receive offerings on behalf of the Mandir.—It shall be lawful for any person authorised by the Committee in this behalf to solicit or receive on behalf of the Mandir any *dan*, *daxina*, *charhawa* or offerings from any person and not withstanding anything contained in any rule of law or decisions to the contrary, no person other than a person authorised by the Committee in this behalf shall receive or be entitled to receive, *dan*, *daxina*, *charhawa* or offering etc. on behalf of the Mandir.

12. Defect in the constitution of, or vacancy in, the Committee not to invalidate acts and proceedings.—No act or proceeding of the Committee shall be invalidated merely by reason of the existence of a vacancy among its members or of a defect in the constitution thereof.

13. Enforcement of final orders of Committee.—Where in the exercise of its powers and performance of its duties the Committee passes any final order against any person directing him to do or abstain from doing something, the person against whom the order is directed shall be bound to comply with the order and in case of non-compliance with such orders any civil court within the local limits of whose jurisdiction the person against whom the order has been passed resides, or carries on business, may execute the order in the same manner and by the same procedure as if it were a decree or order passed by itself in a suit.

14. Audit of accounts and annual report.—(1) Accounts of the Mandir shall be audited every year by such persons and in such manner as the Committee may direct.

(2) The Committee shall every year prepare a report on the administration of the Mandir, which together with the account of the Mandir and the report of the Auditor thereon shall be published in the Official Gazette.

15. Bye-laws.—(1) The Committee may make bye-laws to carry out the purpose of this act.

(2) In particular, and without prejudice to the generality of the foregoing power, such bye-laws may provide for—

(a) the division of duties among the President, the members and other office bearers, if any, of the Committee;

(b) the time and place of, the quorum for, and the procedure and conduct of business at the meeting of the Committee;

(c) the security money, if any, to be taken from the employees of the Committee;

(d) the books and accounts to be kept at the office of the Committee;

(e) the custody and investment of the property and the funds of the Mandir;

(f) the details to be included in or excluded from the budget of the Mandir;

(g) the persons by whom receipts may be granted for money paid to the Committee;

(h) maintenance of peace and order within the Mandir compound;

(i) the duties and powers of the employees of the Mandir;

(j) the manner of entering into contracts by or on behalf of the Committee; and

(k) the manner of the election to the Committee of the representatives from the present families of the *Pandas* of the Mandir and the mode of distribution of the remuneration amongst the family members of the existing *Pandas* of the Mandir.

(3) The power to make bye-laws conferred by this section is subject to the conditions that the bye-laws shall be first published in draft form for eliciting objections, by being hung up on the premises of the Mandir and that the bye-laws shall not take effect until they have been approved and confirmed by the Central Government and published in the Official Gazette.

(4) The Central Government in approving and confirming a bye-law may make any change therein which appears to be necessary.

(5) The Central Government may, after previous publication of its intention, cancel any bye-law which it has approved and confirmed and thereupon the bye-law shall cease to have effect.

STATEMENT OF OBJECTS AND REASONS

The Sri Kashi Viswanath Mandir was many times demolished by foreigners and was rebuilt. The present temple was constructed by Devi Maharani Ahilya Bai of Indore. The gilded plate on the temple which is like the golden Darbar Sahib of Amritsar was made by Raja Shri Ranjit Singh, the last independent Sikh ruler of Punjab. The Naubat Khana building attached to the temple was constructed by the Nawab of Oudh and still Naubat is daily performed by the income of the endowment created by the said Nawab. The said temple is close to the mosque of Gyan Bapi constructed by Emperor Aurangzeb where the site of the demolished temple of Sri Kashi Viswanathji which was built by Raja Todarmal with the permission of Emperor Akbar is visible. Within the boundary wall of the Gyan Bapi, a well, Nandi and few small temples and the said mosque exist. After the fall of Maharashtras, the Sikhs and the Nawabs of Oudh, the temple was left uncared for and became an object of perpetual civil and criminal litigation between the *Pandas*. The temple is a living historical monument of Hindu, Sikh and Muslim unity, is of national importance, and requires preservation and efficient management. No improvement of importance was ever made in the temple since its construction. For the last 10 years the receiver appointed by the Civil Court is managing the affairs of the temple with no improvement whatsoever. The temple is visited daily by tourists coming from all over the world and so it has international importance and requires efficient management. A Central Act, like the Bill, No. 113 of 1952 'The Durgah, Khawaja Saheb Bill' as introduced in the House of the People, is required for the upkeep and management of the temple.

RAGHUNATH SINGH.

BILL No. 49 OF 1953

A Bill further to amend the Indian Arms Act, 1878.

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Indian Arms (Amendment) Act, 19 .

2. Amendment of section 1, Act XI of 1878.—In section 1 of the Indian Arms Act, 1878 (hereinafter referred to as the principal Act), after clause (b) the following clause shall be added, namely:—

“(c) a member of any State legislature or a member of either House of Parliament, an officer of the gazetted rank, or a member of a rifle club recognized by Government or an officer of the Home Guards, Territorial Army, Civil Defence Organisation or of the Cadet forces possessing private weapons, subject to such restrictions as the Central Government may from time to time impose, for limiting the number of such private weapons.”

3. Insertion of new section 17A, Act XI of 1878.—After section 17 of the principal Act, the following new section shall be inserted, namely:—

“17A. *Power to make rules relating to the registration of weapons.*—The Central Government may, from time to time, by

notification in the Official Gazette, make rules to require the registration of all arms purchased or possessed by persons under clause (c) of section 1 or under section 27".

4. Amendment of section 26, Act XI of 1878.—To section 26 of the principal Act, the following proviso shall be added, namely:—

"Provided that all arms so seized shall without delay be produced before a District Magistrate or a Sub-Divisional Magistrate or a Magistrate of the First Class who may, if he is satisfied, order the immediate return of the arms to the licensee."

5. Insertion of new section 34, Act XI of 1878.—After section 33 of the principal Act, the following new section shall be inserted, namely:—

"34. All rules framed or exemptions granted by the Central Government in exercise of the powers conferred by sections 4, 10, 17, 17A and 27 of this Act shall be laid on the tables of the Houses of Parliament."

STATEMENT OF OBJECTS AND REASONS

The Indian Arms Act of 1860 was substituted by the Indian Arms Act of 1878 without any substantial modifications. It has practically continued unaltered even after India has attained freedom. It is imperatively necessary that the restrictions relating to arms be so relaxed as to bring our arms laws in conformity with those of other free nations. It is essential that as far as possible, efforts should be made to liberalise the Indian Arms Act, 1878 or the rules made thereunder for the purpose of allowing certain categories of peaceful citizens, in the first instance, to have arms for self defence. The Bill has therefore been presented in this form.

It has also been provided that rules framed by Government from time to time should be laid on the tables of both the Houses of Parliament.

U. C. PATNAIK.

M. N. KAUL,
Secretary.

CORRIGENDA

to

The Gazette of India, Extraordinary, Part II—Section 2,
dated 2nd September, 1953, publishing the Companies Bill, 1953—

Serial No.	Reference to Clause or Schedule	Page No.	Line No.	Correction
1	2 (34)	482	3	<i>Insert</i> a comma after the word "Company".
2	8 (2) (a)	485	27	After the figures "362" <i>substitute</i> "364" for "36".
3	14 (title)	487	44	<i>For</i> "Compayn" <i>read</i> "Company".
4	14 (6)	488	35	<i>For</i> "The Court if may," <i>read</i> "The Court may, if"
5	70 (3)	514	15	<i>Insert</i> a full stop after the word "pay".
6	117 (title)	532	29	<i>For</i> "Floatin" <i>read</i> "Floating".
7	136 (2)	538	32	<i>Insert</i> a comma after the words "omission of".
8	137 (3)	538	47	<i>Insert</i> a comma after "default".
9	140	539	38	<i>Insert</i> the clause number "140" <i>against</i> the title "Publication of name by company".
10	184 (6)	559	45	<i>For</i> "If in" <i>read</i> "If default is made in".
11	188 (b)	561	3	<i>Delete</i> the comma after the words "company may".
12	194 (6)	563	36	<i>Insert</i> a comma after the words "such managing agent".
13	212 (3) (b)	576	1	<i>For</i> "be" <i>read</i> "by".
14	240	588	19	<i>Delete</i> the comma after "number".
15	272 (4) (a)	601	23	<i>Insert</i> the word "be" after the words "company shall".
16	273 (3)	602	14	<i>For</i> "undor" <i>read</i> "under".
17	274	602	30	<i>For</i> "saction" <i>read</i> "section".
18	275	602	47	<i>Insert</i> a comma after the word "firm".
19	278	604	49	<i>For</i> "tha" <i>read</i> "that".
20	281	607	45	<i>Insert</i> a comma after the word "company".
21	305 (2)	619	28	<i>Insert</i> a semicolon after the word "unlimited".
22	320 (title)	623	10	<i>For</i> the figure "310" <i>read</i> "319".
23	341	631	3	<i>For</i> "bodly" <i>read</i> "body".
24	347 (central heading).	632	12	<i>For</i> "office compensation for" <i>read</i> "compensation for".

Serial No.	Reference to Clause or Schedule	Page No.	Line No.	Correction
25	364 (I) (b) (i)	639	47	<i>For "part 2" read "part of".</i>
26	364 (I) (b) (i)	639	48	<i>Insert the word "or" after the words "any transfer".</i>
27	376	645	38	<i>For "wards" read "words".</i>
28	379 (2)	647	20	<i>Insert a comma after the word "company".</i>
29	396	651	42	<i>For "by the Court" read "by Court".</i>
30	421 (2)	660	35	<i>For "be this" read "by this".</i>
31	445 (2)	667	1	<i>Insert a comma after the word "thereof".</i>
32	466 (5)	673	3	<i>For "mmediately" read "immediately".</i>
33	487 (3)	678	34	<i>For "witd" read "with".</i>
34	490 (central heading).	679	12	<i>For the word "made" read "mode".</i>
35	496(6)	684	18	<i>Insert a comma after the word "nature".</i>
36	553(3)	709	7	<i>For "shee" read "sheet".</i>
37	598	722	46	<i>For "LI" read "LII".</i>
38	Table A I(a)	725	8	<i>For "1954" read "1953".</i>
39	Table A I(c)	725	10	<i>For "1954" read "1953".</i>
40	Part II 24 (3) (b)	746	46	<i>For "assests" read "assets".</i>
41	Schedule III Part I.	750	9	<i>For "1954" read "1953".</i>
42	Schedule III Part I.	750	12	<i>For "1954" read "1953".</i>
43	Schedule IV Part I.	756	8	<i>For "1954" read "1953".</i>
44	Schedule IV Part I.	756	12	<i>For "1954" read "1953".</i>
45	Schedule V Part II.	765	40	<i>For "1954" read "1953".</i>
46	Schedule V Part II.	768	22	<i>For "1954" read "1953".</i>
47	Schedule VI Part I.	777	3	<i>For "is form" read "this form".</i>
48	Schedule VI Part II.	778	11	<i>For "os" read "or".</i>
49	Schedule X Form B.	789	9	<i>For "memder" read "member".</i>
50	Schedule X Form B. (1) (a)	789	32	<i>For "1954" read "1953".</i>

Serial No.	Reference to Clause or Schedule	Page No.	Line No.	Correction
51	Schedule X	794	34	<i>For "1954" read "1953".</i>
52	Schedule X Form D. (Central heading).	795	8	<i>Insert the words "having a share capital" after the words "unlimited company".</i>
53	Schedule X Form D. 4.	796	12	<i>For "1954" read "1953".</i>
54	Schedule VII(I).	802	27	<i>For "1954" read "1953".</i>
<i>Notes on clauses</i>				
55	Clause 85 .	816	2nd line.	<i>For "clause (a)" read "clause (I) and clause (a) respectively".</i>
56	Clause 175 .	822	2nd line.	<i>For "recommendation (iii)" read "recommendation (c)".</i>
57	Clause 189 .	823	2nd line.	<i>For "Page 253" read "Page 252".</i>
58	Clause 213 .	825	2nd line.	<i>For "of its" read "of the".</i>
59	Clause 236 .	827	1st line	<i>For "drafts" read "draft".</i>
60	Clause 260 .	829	3rd line	<i>For "imposes" read "impose".</i>
61	Clause 261 .	829	4th line	<i>For "section 184(1). The English Act" read "section 184(1) of the English Act".</i>
62	Clause 291 .	831	1st line	<i>For "section 875" read "section 87J".</i>
63	Clause 297 .	831	2nd line	<i>For "become director" read "become a director".</i>
64	Clause 320 .	833	1st line	<i>For "position" read "portion".</i>
65	Clause 332 .	834		<i>For "clause 322" read "clause 332".</i>
66	Clauses 347 to 349	835		<i>For the figure "217" read "277".</i>
67	Clauses 550—567—Part XI	847	3rd line	<i>For "redraft" read "redrafts".</i>
68	Clause 550 .	847	1st line	<i>For "Englihs" read "English".</i>
69	Clause 571 .	848	4th line	<i>For "fees which have" read "fees have".</i>
70	Clause 581 .	849	3rd line	<i>For "vexations" read "vexatious".</i>
71	Clause 584 .	849	1st line	<i>For "English Act the application" read "English Act, the adoption".</i>

Serial No.	Reference to Clause or Schedule	Page No.	Line No.	Correction
72	Clause 586 .	849	1st line	<i>For "clear" read "clear".</i>
73	Clause 590 .	850	1st line	<i>For "section 444" read "section 44S".</i>
74	Clause 598 .	850	last line	<i>For "These provisions, therefore" read "These provisions, therefore, have been limited in their operation to three years. After that time they will".</i>
75	Clause 598 .	851	1st line	<i>For "provision" read "provisions".</i>
76	Clause 598 .	851	2nd line	<i>Delete the second line.</i>
77	Schedule IV .	856	2nd line	<i>For "alteration" read "alterations".</i>
78	Schedule VIII	857	1st line	<i>For "clause explain" read "clause which explains".</i>